

By: Raymond

H.B. No. 114

A BILL TO BE ENTITLED

AN ACT

relating to voluntary emissions inspections in border counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 382.202, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (e-1) to read as follows:

(c) If the program is established under this section, the commission:

(1) shall adopt vehicle emissions inspection and maintenance requirements for certain areas as required by federal law or regulation; ~~and~~

(2) shall adopt vehicle emissions inspection and maintenance requirements for counties not subject to a specific federal requirement in response to a formal request by resolutions adopted by the county and the most populous municipality within the county according to the most recent federal decennial census; and

(3) shall adopt standards and procedures for vehicle emissions inspections that are equivalent to inspections under the program and are to be offered and documented on a voluntary basis in counties that border the United Mexican States and are not described by Subdivision (1) or (2).

(e-1) The commission may assess a fee for a voluntary vehicle emissions inspection under Subsection (c)(3). The fee must be in an amount reasonably necessary to recover the costs of

1 developing, administering, and evaluating the standards and
2 procedures described by that subdivision. An appropriate part of
3 the fee as determined by commission rule may be retained by the
4 station owner, contractor, or operator to recover the cost of
5 performing the inspection and provide for a reasonable margin of
6 profit.

7 SECTION 2. Section 548.301, Transportation Code, is amended
8 by adding Subsection (b-2) to read as follows:

9 (b-2) The commission shall adopt standards and procedures
10 to make available the voluntary emissions inspections under Section
11 382.202(c)(3), Health and Safety Code.

12 SECTION 3. The Texas Commission on Environmental Quality
13 and the Public Safety Commission shall adopt procedures and rules
14 necessary to implement Section 382.202, Health and Safety Code, and
15 Section 548.301, Transportation Code, as amended by this Act, as
16 soon as possible after the effective date of this Act.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.